

Expenses—how
paid

SEC. 7. That all damages, costs, and expenses of locating, laying out, and opening such road, including the damages for the right of way, shall be paid from the respective town treasuries, except such as may be received by way of road taxes.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved March 7th, 1862.

CHAPTER LVIII.

An Act to Construct a State Road from a point on the Road leading from Mankato to Mapleton, in Blue Earth County, to Winnebago City, in Faribault County, Minnesota.

- SECTION 1. Commissioners appointed.
 2. Meeting of commissioners—to fill vacancies.
 3. May employ assistants.
 4. To file plat of said road.
 5. Compensation of commissioners, surveyors, &c.
 6. Damages sustained—how ascertained.
 7. Act, when to take effect.

Be it enacted by the Legislature of the State of Minnesota:

Commissioners
appointed

SECTION 1. That David Wilcox, Wm. H. Blackman, and J. A. Latimer, are hereby appointed commissioners, to mark out, locate and establish a State road, commencing at a point on the Indian reservation, at or near where the road leading to Shelbyville leaves the Mapleton road, south of the LeSueur river, in Blue Earth county; thence by the nearest and most practicable route, to a point of intersection with the Faribault county road at Shelbyville, in Blue Earth county; thence by the nearest and most practicable route to Winnebago city, in Faribault county.

SEC. 2. That said commissioners shall meet at Winnebago city, in Faribault county, on or before the first Monday in June 1862, and proceed to discharge the duties imposed upon them by the provisions of this act; *Meeting of commissioners—to fill vacancies*
Provided, That in the absence of any of said commissioners, the others may supply said vacancy, by appointing another commissioner, or in case a majority of them meet, may proceed to discharge their duties.

SEC. 3. That said commissioners are hereby empowered to employ one surveyor and two chainmen. *May employ assistants*

SEC. 4. The said commissioners shall, as soon as practicable after laying out said road, file a plat of the survey of said road in the office of county auditors of the different counties through which said road passes, and said plat shall be legal evidence of the locality and the existence of said road. *To file plat of road*

SEC. 5. The commissioners, surveyor and chainmen shall be paid by the counties in which said road is located, agreeably with the labor performed in each county; *Compensation for surveyor, &c*
Provided, however, That such commissioners shall not be paid a higher rate than one dollar and fifty cents per day, nor such surveyor at a higher rate than three dollars per day, nor such chainmen a higher rate than one dollar per day in locating, platting and marking out said road.

SEC. 6. That it shall be the duty of said commissioners to appraise the damages sustained by each owner of land through which said road shall pass, and in case any one shall feel aggrieved by said appraisal, he may, within thirty days, appeal in writing to the chairman of supervisors of the town wherein said owner may reside, and the said supervisors shall cause a constable of his town to summon a jury of twelve freeholders, who shall proceed to examine said road, a majority of whom shall determine the amount of damages, if any, the said owner has sustained. *Damages—how ascertained*

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 6th, 1862.